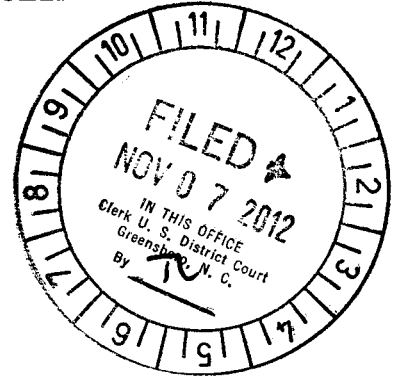


IN THE UNITED STATES DISTRICT COURT
Middle
FOR THE ~~EASTERN~~ DISTRICT OF NORTH CAROLINA

DIVISION



Bernice E. Benitez

)
)

(Enter above the full name
of the Plaintiff[s] in this
action).

Case No. 1:12CV1195
(To be assigned
by the Clerk of
District Court)

vs.

Mr. Jermaine Reed) Maximum
Mr. Maurice Byter) Healthcare Services
Mr. Wla Newman)
Ms. Kristian Mendosa)

(Enter above the full name of
ALL Defendant[s] in this action.
Fed.R.Civ.P.10(a) requires that
the caption of the complaint
include the names of **all** the
parties. Merely listing one
party and "et al." is insufficient.
Please attach additional sheets if
necessary).

COMPLAINT

1. Plaintiff resides at 7824 Pittsboro-Goldston
Rd - Bear Creek, N. C.

2. Defendant(s) name(s): Mr. Termaine Reed, Mr. Mercedes
Boyle, Mr. Wes Newman, Ms. Kristian Messner
Matrim Healthcare Services

Location of principal office(s) of the named defendant(s):
7227 Lee DeForest Drive
Columbia, MD - 21046

Nature of defendant(s) business: Health Care
services

Approximate number of individuals employed by defendant:
50+

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on this court by 42 U.S.C. § 2000e-5. Equitable and other relief are also sought under 42 U.S.C. § 20003-5(g).

4. The acts complained of in this suit concern:

- (A) _____ Failure to employ me.
- (B) X Termination of my employment.
- (C) _____ Failure to promote me.
- (D) _____ Other acts as specified below:

[illegible]

(A) _____ presently employed by the defendant.

(B) X not presently employed by the defendant.

The dates of employment were _____.

Employment was terminated because:

(1) X plaintiff was discharged.

(2) _____ plaintiff was laid off.

(3) _____ plaintiff left job voluntarily.

6. Defendant(s) conduct is discriminatory with respect to the following:

(A) _____ my race.

(B) my religion.

(C) _____ my sex.

(D) _____ my national origin.

(E) X other as specified below:

my disability - I had an emotional in 2001.
I had medical treatment and was able to work

7. The name(s), race, sex, and the position or title of the individual(s) who allegedly discriminated against me during the period of my employment with the defendant company is (are):

Mr. Jermain Reed - Black - male - account
manager

Ms. Mervin Byter - white - female - Supervisor

Mr. Wes Newman - Recruiter, ~~HR~~ male Caucasian,

Ms. Kristin Messeraw - Social Service Supervisor

Maxim Healthcare Services - employer

8. The alleged discrimination occurred on or about 4-28-2011

9. The nature of my complaint, i.e., the manner in which the individuals(s) named above discriminated against me in terms of the conditions of my employment is as follows:

The mother of the client I was providing
nursing care for moved often from Burlington to Greensboro.
She moved on Dec. 14th 2009. I was out of work
when she settled down again I was called to work

again. I was to go to the maxim office for time sheets and direction to clients new house. This was arranged by Mr Taylor. I arrived at 9^{AM} on April 28th, 2011. Mr Taylor was not there. Another recruiter name Mr Wes stepped up and said "oh, didn't Taylor tell you not to come." I replied "no." Mr. Wes told me that I couldn't work for maxim any longer. I asked him why and he told me that.

10. The alleged illegal activity took place at: maxim Greensboro office

11. I filed charges with the Equal Employment Opportunity Commission regarding defendant(s) alleged discriminatory conduct on or about may 2011. I have attached a copy of the Notice of Right to Sue letter issued by the Equal Employment Opportunity Commission. This letter was received by me on August 10th - 2012 (was sent August 7th - 2012)

12. I seek the following relief:

- (A) ✓ recovery of back pay;
 - (B) _____ reinstatement to my former job;
 - (C) ✓ trial by jury on all issues so triable;
- and any other relief as may be appropriate, including

I had a mental problem and couldn't work with their clients, when I questioned him he said I need to talk to Mrs. Mereson. At that time Mrs. Mereson came from her office and said I couldn't work any longer and if I wanted to change that decision I need to speak with Mr. Kristian Miesow from Chatham DSS. I went to my car because I was shocked, I called Mr. Miesow and she refused to speak with me. I went back inside and asked for a paper showing my dismissal. At that time a tall gentleman came from nowhere and said "we don't do that. we don't give papers. I asked him who he was and was he the boss.

He got right in my face and said "yea". He asked the other staff to get me a paper and he'd sign it. I got outside and it was signed Derrmaine Reed. A copy of his letter is enclosed. Until today I still don't know why things turned out the way they did. I had a set back in 2001 but doctors cleared me to return to work years later.

Bernie Benitez

injunctive orders, damages, costs and attorney's fees.

11-7-2012

Date

Bernice E. Benite
Signature of Plaintiff

7824 Pittsboro-Goldston Rd

Bear Creek, NC 27207

919-842-9148

Address and Phone Number of Plaintiff